

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE MEDICAL PROPERTIES TRUST, INC.	:	Case No. 1:23-cv-008597-VSB
SECURITIES LITIGATION	:	
	:	<u>CLASS ACTION</u>
THIS DOCUMENT RELATES TO:	:	
ALL ACTIONS	:	
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**DECLARATION OF JONATHAN D. PARK IN IN OPPOSITION TO
DEFENDANTS' MOTION TO DISMISS THE FIRST AMENDED COMPLAINT**

I, Jonathan D. Park, pursuant to 28 U.S.C. § 1746, hereby declare:

1. I am Of Counsel with the law firm of Pomerantz LLP, Court-appointed Lead Counsel for Lead Plaintiff John Cuomo and Additional Plaintiff Christopher Armstrong. I am a member of the Bars of the State of New York and this Court.

2. I submit this declaration in opposition to Defendants' motion ("Motion") (Dkt. 29) to dismiss the First Amended Class Action Complaint ("FAC"). (Dkt. 28).

Exhibits¹

3. Attached hereto as Exhibit A is a true and correct copy of the Third Amended and Restated Limited Liability Company Agreement for PHP Holdings, LLC, dated May 23, 2023.

4. Attached hereto as Exhibit B is a true and correct copy of a letter, dated September 11, 2023, to the California Department of Managed Health Care (i.e., the DMHC) from the law firm of Sheppard Mullin, counsel to Prospect Health Plan, Inc., and excerpts from the Comment Table annexed thereto.

¹ Any highlighting in any of the Exhibits has been added by Plaintiffs for the Court's convenience.

5. Attached hereto as Exhibit C is a table prepared by Plaintiffs consisting of verbatim reproduction of select materially false and misleading statements and omissions alleged in the FAC and cited in Plaintiffs' opposition to the Motion.

6. Attached hereto as Exhibit D is a true and correct copy of the current version of Cal. Health & Safety Code § 1399.65.

7. Attached hereto as Exhibit E is a true and correct copy of excerpts from a publicly available presentation entitled "*Active Short Medical Properties (Dis)Trust (MPW)*," dated October 31, 2023, and published by Hedgeye Risk Management LLC.²

8. Attached hereto as Exhibit F is a true and correct copy of excerpts from a Regulation FD Disclosure filed by Medical Properties Trust, Inc. ("MPT") with the SEC on January 29, 2025.

9. Attached hereto as Exhibit G is a true and correct copy of excerpts from an objection filed by MPT at Docket No. 419 in the bankruptcy case of Prospect Medical Holdings, Inc., Case No. 25-80002-sgj11, pending in the United States Bankruptcy Court for the Northern District of Texas.

10. Attached hereto as Exhibit H is a true and correct copy of excerpts from MPT's Form 10-Q for Q3 2024, filed with the SEC on November 12, 2024.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 17th day of March, 2025,
in New York, New York.

/s/ Jonathan D. Park

² The full presentation is available at: https://app.hedgeye.com/mu/prospect-rent_10-31-23?encoded_data=fL75!iWZDoMFHHAMwa6WMYBQZzUdlD5c= (FAC ¶14 n.2).